

## ECONOMIC COMPONENT OF THE JUDICIAL CAREER DEVELOPMENT SYSTEM

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**Abstract.** The aim of this article is to review the concept of judicial immutability as a fundamental criterion for evaluating the national judiciary system and to ascertain the distinctive features of selecting qualified candidates for judgeship. Additionally, the present condition of the judiciary formation will be examined, alongside identifying the essential economic requirements necessary and sufficient to promote the development of the judiciary system in Ukraine. It is noted that the principle of judicial immutability as a basic criterion for assessing the national judicial system is implemented through: 1) the normatively defined age limit of a judge; 2) a non-alternative list of cases in which a judge may be transferred to another position (including a lower one) without his consent; 3) the established procedure for bringing a judge to disciplinary responsibility; 4) an extensive system of bodies performing organisational, administrative and control functions; 5) provision for the assessment of a judge's activity by independent public bodies (the Council for Public Integrity); 6) available competitive selection for the position, except for the cases established by law. It is found that the current state of formation of the judiciary can be defined as unsatisfactory, which is due to the following reasons: 1) unstable functioning of the institutions responsible for the competitive selection of candidates for vacant positions of judges; 2) inhibition of the judicial reform as a result of the introduction of the legal regime of martial law; 3) decrease in the quality of the financing of the judicial system due to the unstable political and economic situation in the country; 4) lack of an effective algorithm for bringing judges to disciplinary responsibility; 5) an excessively extensive system of subjects for assessing the compliance of candidates for the position of a judge with the requirements set forth in regulatory and legal acts. **Results.** It is established that the peculiarities of the qualification selection of candidates for the position of a judge include: 1) selection of judicial candidates based on three criteria (competence; professional ethics; integrity); 2) differentiation of subjects for assessing the compliance of a candidate for the position of a judge with a certain criterion defined by law; 3) lack of clear procedural requirements for the High Qualification Commission of Judges of Ukraine as a body tasked with the formation of the judiciary; 4) predominance of discretionary powers of the High Qualification Commission of Judges of Ukraine as the main basis for consideration by the High Council of Justice of recommendations on appointment of a candidate for the position of a judge. It is specified that the economic component of the system of career advancement of judges requires solving such problems as: 1) timely identification and elimination of corruption risks and threats, which should be carried out not by branching the bodies involved in the evaluation of candidates for the position of a judge, but by improving the qualification selection procedure; 2) improving the secondment procedure as a temporary transfer of a judge to another court of the same level and specialisation, which became particularly relevant in connection with the introduction of a special legal regime of martial law and the temporary occupation of certain areas of the state; 3) improving the procedure for attracting international donors for financial support to the judiciary and standardising the procedure for obtaining and using such funds.

**Key words:** career advancement, judiciary, judicial power, justice, economic component, judicial tenure, reform, qualification selection.

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## 1. Introduction

The creation of an impartial and transparent procedure for the formation of the judiciary is the only way to reform the quality of the judiciary in Ukraine. To date, it is possible to note the real functional imperfection of the judiciary, caused primarily by the shortage of personnel, which is the result of an imperfect procedure for holding competitions to fill vacancies, the procedure for passing qualification exams, as well as the improper performance of duties by the High Qualification Commission of Judges of Ukraine.

Such gaps laid the platform for the creation in 2021 of a new strategy for the development of the judicial system and constitutional justice for 2021–2023, approved by the Decree of the President of Ukraine No. 231/2021 of 11 June 2021, which defines the priority of the state in improving the judicial system, which will contribute to the establishment of a legal order based on a high level of legal culture, the activities of all subjects of social relations on the principles of the rule of law and the protection of human rights and freedoms, and in case of their violation, their fair restoration within a reasonable time.

The following factors were named among the main problems that determine the need for further improvement of the organisation of the judiciary and the administration of justice: the inability of the High Qualification Commission of Judges of Ukraine to carry out its activities and the impossibility of resuming its work without improving legislation; the imperfection of the existing system of local courts; the ineffectiveness of the system of financial, logistical and social support for the independence of the judiciary; imperfection of the judicial system, organisation of its activities, including financial, logistical and other types of support for courts at all levels; lack of judges in local and appellate courts, excessive workload of judges in courts at all levels; excessively complicated procedures for holding a competition for a vacant judicial position, as well as the procedure for passing the qualification exam and the methodology for evaluating judges and candidates for the position of judge; ineffective mechanisms for bringing judges to disciplinary responsibility; excessive length of court proceedings, excessive overregulation of the judicial process, unjustified widespread use of collegiality in courts of first instance and appellate courts (Strategy for the Development of the Judiciary, Judicial Proceedings and Constitutional Justice for 2021–2023, approved by the Decree of the President of Ukraine of 11 June 2021 No. 231/2021). Improving the procedure for solving the staffing problem in the justice system also raises the issue of economic incentives to increase the demand for vacancies and the competitiveness of applicants, as well as to

reduce corruption risks and threats to the judiciary. In particular, the issue of transferring a judge to a lower position as a specific type of disciplinary sanction, which is a symbiosis of career and economic disciplinary sanctions, needs to be regulated. Currently, the peculiarities of the economic support of the formation of the judicial corps are considered in the works of such scientists as V. Hudyma, V. Riadinska, O. Karpushova, S. Khaliuk, R. Holobutovskyi, A. Shevchenko, V. Seredynskyi and others. However, the disclosure of the problem of improving the economic support of the judicial system of Ukraine requires more attention, which determines the relevance of the subject of the article.

The *purpose of the article* is to consider the principle of immutability of judges as a basic criterion for evaluation of the system of national judiciary; to determine the peculiarities of qualification selection of candidates for the position of a judge; to establish the current state of formation of the judicial corps; to define the economic needs necessary and sufficient to promote the development of the judiciary in Ukraine.

## 2. The Principle of Judicial Tenure as a Basic Criterion for Assessing the National Judiciary

The principle of the immutability of a judge is directly established in the Law of Ukraine "On the Judicial System and the Status of Judges" dated 2 June 2016 No. 1402-VIII, in particular in Clause 3, Part 5, Art. 48 of the normative legal act states that the independence of a judge is guaranteed by the immutability of a judge, and Art. 53 states that a judge is guaranteed to remain in office until the age of 65, except in cases of removal from office or termination of powers in accordance with the Constitution of Ukraine and this Act. A judge may not be transferred to another court without his consent, except in the following cases: 1) in the event of reorganisation, liquidation or termination of the work of the court; 2) in the order of disciplinary sanctions (The Law of Ukraine "On the Judiciary and the Status of Judges"). This provision is aimed at protecting independent and objective judicial proceedings by ensuring the protection of the rights and freedoms of judges from outside, unlawful influence.

The adoption in 2016 of a new legal act establishing the specifics of the judiciary and the status of judges significantly changed the guidelines contained in the previous legislation. This is due to a number of objectively existing factors, the main one being the inability of the judicial system to fully exercise its powers, which resulted in the inhibition of the process of establishing the truth in disputes arising from the violation of various types of public legal relations.

The logical step after the adoption of the current Law of Ukraine "On the Judicial System and the Status of Judges" was the creation of a new Strategy for the Development of the Judicial System and Constitutional Justice for 2021–2023, approved by the Decree of the President of Ukraine of 11 June 2021 No. 231/2021, which was aimed at solving problems that could not be solved by revising the regulatory framework. The document focused on the fact that independent and impartial justice is a guarantee of sustainable development of society and the state, a guarantee of respect for the rights and freedoms of individuals and citizens, the rights and legitimate interests of legal entities, the interests of the state, the growth of prosperity and quality of life, the creation of an attractive investment climate, the timely, efficient and fair resolution of legal disputes on the basis of the rule of law.

The improvement of the judicial system will contribute to the establishment of a legal system based on a high level of legal culture, the activity of all subjects of social relations on the principles of the rule of law and the protection of human rights and freedoms and, in case of their violation, their fair restoration within a reasonable period of time (Strategy for the Development of the Judicial System and Constitutional Justice for 2021–2023). The guarantee of an independent and impartial judiciary is implemented through a number of judicial principles, in particular the declared and tested principle of immutability. The Law of Ukraine "On the Judicial System and the Status of Judges" guarantees the tenure of judges until they reach the maximum age of 65 years, unless there are legal grounds for violating this principle.

A generalisation of the main features of judicial immunity allows to identify its most important elements, in particular: 1) a judge appointed for the first time should be irremovable from the very beginning. According to this rule, the maximum term of office of a judge should be clearly defined by law. As a rule, the term of office of a judge is guaranteed upon reaching the retirement age or expiry of a specified term of office; 2) a person appointed to a position cannot be dismissed, suspended, or transferred to another position, whether lower or higher, without his/her consent; 3) the guarantee of judicial immutability should be protected by the courts, and its violation can be allowed only in court; 4) a judge should be protected in case of complete abolition of the position occupied by him/her, i.e., he/she should be given a position corresponding to his/her level, or the state should assume the obligation to maintain the judge for the entire period of his/her absence from office (Prylutsky, 2017). In this respect, at the regulatory and legal level, it is possible to transfer a judge to another court only with his consent

(by secondment as a temporary transfer of a judge to another court of the same level and specialisation) or without such consent in the case of reorganisation, liquidation or termination of the work of the court or in the order of disciplinary measures. This is due to the need to ensure the continuity of the work of the courts and the quality of the judicial process through the existence of a potential possibility of being brought to disciplinary responsibility. In such a case, the judge may be transferred to a lower position or dismissed.

Thus, *the principle of judicial immutability is implemented as a basic criterion for assessing the system of the national judiciary through:* 1) the normatively defined age limit of a judge; 2) a non-alternative list of cases in which a judge may be transferred to another position (including a lower one) without his consent; 3) the established procedure for bringing a judge to disciplinary responsibility; 4) an extensive system of bodies performing organisational, administrative and control functions (including a collegial constitutional body of judicial administration, the High Council of Justice, a permanent body responsible for the formation of the judicial corps, the High Qualification Commission of Judges of Ukraine, etc.); 5) provision for the evaluation of a judge's activity by independent public bodies (the Public Integrity Council); 6) available competitive selection for the position, except for the cases established by law.

### **3. Determination of the Peculiarities of Qualification Selection of Candidates for the Position of Judge**

With the start of the judicial reform, a more modern mechanism for selecting candidates for the position of judge was introduced. In particular, a special body, the High Qualification Commission of Judges of Ukraine, was established, whose direct responsibilities include the formation of the judiciary through a competition. According to the current legislation, the selection of qualifications is currently mandatory for the formation of the judiciary. Thus, Art. 80 of the Law of Ukraine "On the Judicial System and the Status of Judges" states that the appointment of a judge shall be made by the President of Ukraine on the basis of and within the framework of the proposal of the High Council of Justice, without verification of compliance with the requirements established by this Law for candidates for the position of a judge and the procedure of selection or qualification assessment of candidates. Appeals concerning a candidate for the position of a judge shall not prevent his appointment. The facts stated in such appeals may serve as a basis for the President of Ukraine to raise the issue of verification of such facts



before the competent authorities in accordance with the procedure established by law. The President of Ukraine shall issue a decree on the appointment of a judge no later than thirty days from the date of receipt of the relevant submission by the High Council of Justice. Art. 82 establishes that a judge may be temporarily transferred, including by secondment, to the position of a judge in another court by the High Council of Justice in accordance with the procedure established by law. The transfer of a judge to the position of a judge in another court shall be made on the basis of and in accordance with the recommendation of the High Qualification Commission of Judges of Ukraine, submitted as a result of the competition for filling a vacant position of a judge, conducted in accordance with the procedure specified in Article 79 of the Law. The transfer of a judge to another court of the same or a lower level may be carried out without a competition only in the event of reorganisation, liquidation or abolition of the court in which the judge holds the position of a judge. The transfer of a judge to another court in the order of disciplinary responsibility shall be carried out on the basis of a proposal of the body which made the decision to bring the judge to disciplinary responsibility (The Law of Ukraine "On the Judicial System and the Status of Judges").

Pursuant to Art. 83 of the legal act, the qualification assessment is conducted by the High Qualification Commission of Judges of Ukraine to determine the ability of a judge (candidate for the position of a judge) to administer justice in the relevant court in accordance with the criteria set out in the law. The criteria for assessing qualifications are as follows: 1) competence (professional, personal, social, etc.); 2) professional ethics; 3) integrity. The qualification assessment based on the criterion of professional competence is carried out taking into account the principles of specification and specialisation. The grounds for assigning a qualification assessment are the following: 1) an application of a judge (candidate for the position of a judge) for qualification assessment, including for participation in the competition; 2) decision of the High Qualification Commission of Judges of Ukraine on appointment of a qualification assessment of a judge in cases determined by law. The procedure and methodology of the qualification assessment, indicators of compliance with the qualification assessment criteria and the means of their establishment shall be approved by the High Qualification Commission of Judges of Ukraine (The Law of Ukraine "On the Judicial System and the Status of Judges"). Based on the defined criteria, the entities directly involved in the qualification assessment of candidates for the position of a judge, and thus in the formation of the judiciary, are: High Council of Justice, High Qualification Commission

of Judges of Ukraine, Public Integrity Council. At the same time, the study of judicial practice allowed to generalise the significant workload of the judicial system, as well as a number of problems that arise at the stage of competitive selection. All of this shows that the desire to create an effective and transparent mechanism for the objective selection of judicial candidates has led to an artificial delay in the competitive selection process, long waiting times for the results, and a shortage of staff, which slows down the judicial process. At the same time, the decision of the High Qualification Commission of Judges of Ukraine is essentially subjective, which is reproduced at its discretion. This raises doubts about the ability of the body to fully perform its functions, the feasibility of its functioning from a financial point of view, as well as the existence of the High Council of Justice, which has similar functions and powers and, in accordance with the current legislation, initiates the appointment of a candidate for the position of judge before the President of Ukraine. In this regard, it is necessary to agree with the opinion of scholars that such activities of the High Qualification Commission of Judges of Ukraine lead to violations of the basic principles and rules of qualification certification of judges regulated by both current legislation and international legal agreements, among which, in particular, the following can be mentioned: 1) objectivity and fairness of the decisions of the authorised body; 2) coverage of reliable and truthful information on the professional, personal and social competence of the judge, his/her ability to improve his/her professional level and administer justice in the court of the appropriate level; 3) compliance of the judge with ethical and anti-corruption criteria. Thus, these violations in the decision-making process of the High Qualification Commission of Judges of Ukraine directly restrict the judge under evaluation from performing his or her professional activities impartially, legally and independently (Riadinska, Karpushova, 2018).

Thus, to date, the peculiarities of the qualification selection of candidates for the position of judge include the following: 1) selection of judicial candidates based on three criteria (competence; professional ethics; integrity); 2) differentiation of subjects of assessment of compliance of a judicial candidate with a certain criterion defined by law; 3) absence of clear procedural requirements for the High Qualification Commission of Judges of Ukraine as a body whose main tasks include formation of the judiciary; 4) predominance of discretion of the High Qualification Commission of Judges of Ukraine as the main basis for consideration by the High Council of Justice of recommendations on appointment of a candidate for the position of a judge.

#### 4. Identification of the Current Status of the Judiciary

The reform of the judicial system, which included changes in the procedure for selecting candidates for the position of judge, led to an actual delay in the competitive selection process, which caused a shortage of personnel. In particular, the temporary suspension of the work of the High Qualification Commission of Judges of Ukraine, which took place over a long period of time, deserves special attention.

The researchers note that the study of judicial practice in the field of formation of the judiciary in recent years has also confirmed the lack of consistency in the work of the High Qualification Commission of Judges of Ukraine, in particular, the partial redistribution of priorities from improving the procedure for assessing the quality of knowledge of candidates for the position of judge to promoting and supporting the development of international initiatives. Despite the fact that international cooperation is one of the main means of ensuring the prospects of improving the judicial career development system, as well as the potential introduction of the latest technologies aimed at relieving the Commission of its workload (in particular, the integration of artificial intelligence as a means of assessing candidates), there are reasons to believe that it is more logical to give priority to the implementation of the tasks that are currently relevant. Such tasks may include revising the procedure for assessing the quality of knowledge of judicial candidates, checking their integrity, and creating more modern forms of preventing corruption risks by increasing the level of transparency of judicial proceedings (Babko, 2022).

At the same time, it should be noted that the improvement of the procedure for selecting and vetting candidates for the position of judge should be done not by artificially branching out the system of controlling bodies and bodies performing organisational and administrative functions, but by reviewing the competition procedure itself and the stages of its implementation. The duplication of tasks assigned to both the High Council of Justice and the High Qualification Commission of Judges of Ukraine does not contribute to transparency and objectivity of the selection process, as evidenced by the poor state of the judiciary and the many cases of judges being brought to disciplinary responsibility for poor performance of their duties.

According to the analysis of statistical data for the period from 2017 to 2020, the chambers most often applied the lightest possible sanctions – warnings (228 cases, 39.65% of all sanctions) and motions for temporary suspension of a judge from the administration of justice (160 cases, 27.83%). At the same

time, none of the disciplinary chambers has imposed a penalty in the form of transfer to a lower court in four years. The Third Disciplinary Chamber of the High Council of Justice passed the most decisions on bringing judges to justice (236 decisions, or 41.04%). This is followed by the Second (182, 31.65%) and First (157, 27.3%) Chambers. The Third Chamber is also the leader in the number of cases of application of 3 out of 5 types of sanctions (except for temporary suspension and dismissal, although in the latter case it is only 1 case behind the Second Chamber). Comparing the number of cases of sanctions between the chambers, the largest gap is noticeable in the use of warnings: the Third Chamber used them twice as often as the First Chamber and one third as often as the Second Chamber. There is also a certain difference in the activity of the chambers in terms of refusals to prosecute: 38.11% of cases of refusals to initiate criminal proceedings (242 decisions) were registered by the Second Chamber, 32.28% (205) by the Third Chamber and 29.6% (188) by the First Chamber. The dynamics of imposing sanctions by the chambers of the High Council of Justice is rather uneven: after the start of its activity in 2017, the total number of sanctions increased until the following year, and starting from 2019, the number of sanctions began to decrease annually. At the same time, it cannot be said that the dynamics of sanctions for each chamber demonstrates certain trends (Disciplinary proceedings against judges 2017–2020: statistical dimension).

A rather significant percentage of judges' failure to perform/improper performance of their professional duties, corrupt interests, etc. casts doubt on the quality of work of both the High Qualification Commission of Judges of Ukraine and the Public Integrity Council. One of the main reasons may be a basic interest in the professional knowledge and skills of the applicants, their ability to provide a quality assessment of the cases they work with. The only way to determine their objectivity and impartiality is to examine their previous professional experience and biography in light of potential corruption risks. At the same time, according to the practice of the High Council of Justice, such a risk often arises after the candidate has taken up the position of a judge.

The fact that both the High Qualification Commission of Judges of Ukraine and the High Council of Justice still have a heavy workload deserves special attention. Thus, as of 1 August 2019, the High Qualification Commission of Judges of Ukraine had assessed only half of the judges who were to undergo the assessment procedure. In July–August 2019, several major competitions were announced to fill positions in the courts, including

in local and appellate courts. Other initiated procedures should also be completed. Therefore, the liquidation of this body should be considered in the context of the above processes. In view of the above, it can be concluded that today the main reason that calls into question the existence of the High Qualification Commission of Judges of Ukraine as an independent body is the inadequacy of the tasks assigned to the Commission and the mismatch of the expected results with the realities in the judicial system. Thus, the result aimed at optimising judicial governance and establishing a single judicial governance body combining the functions and powers of several institutions has been partially achieved (50%), in particular, in terms of defining the powers of the High Council of Justice at the constitutional level (Babko, 2022). Thus, raising the issue of the inexpediency of the High Qualification Commission of Judges of Ukraine functioning as an independent body will not only simplify the procedure of personnel selection of candidates for the position of judge, but will also have positive economic consequences, given the reduction in funding for the judicial system.

*Therefore, the current state of formation of the judiciary can be defined as unsatisfactory, due to the following reasons:* 1) unstable work of the bodies designated to conduct competitive selection of candidates for vacant judicial positions; 2) slowdown in judicial reform due to the introduction of martial law; 3) lower quality of funding for the judicial system due to the unstable political and economic situation in the country; 4) absence of an effective algorithm for bringing judges to disciplinary responsibility; 5) excessively branched system of subjects for assessing compliance of candidates for the position of judge with the requirements established by legal acts.

## **5. Identification of the Economic Needs Required and Sufficient to Support the Development of the Justice System in Ukraine**

The Strategy for the Development of the Judicial System and Constitutional Justice for 2021–2023, approved by the Decree of the President of Ukraine No. 231/2021 of 11 June 2021, among other priorities, identifies, in particular, the need to improve the organisational support of judges: improvement of organisational and financial support for the judiciary; introduction of a unified system of performance management and monitoring of courts; regulation of mechanisms for monitoring, evaluation and control over the organisation of courts (without interfering with the administration of justice), such as internal audit and/or anti-corruption control; development and implementation of legal acts for transparent planning and allocation of budgetary resources in

the judiciary, including development expenditures, based on the specified criteria; improvement of legislative regulation of the specifics of public service in the judiciary; revise the powers of the State Judicial Administration of Ukraine, in particular, on organisational, financial and personnel support of the judiciary; improvement of the legal status of judge assistants; ensuring the effective work of the Judicial Protection Service by improving the mechanisms for regulating its activities (Strategy for the Development of the Justice System and Constitutional Judiciary for 2021–2023).

According to the analytical reports of the State Judicial Administration of Ukraine, as of 2021, there has been a positive trend in improving the information, technical and material support of the judiciary. At the same time, the introduction of a special legal regime of martial law and military actions by the aggressor state led to significant material losses, which resulted in a significant decrease in the level of material support of the judicial system. Temporary occupation of certain territories of the state, destruction of court premises caused the need for secondment as a temporary transfer to another court of the same level and specialisation, in accordance with the provisions of Art. 55 of the Law of Ukraine "On the Judicial System and the Status of Judges". At the same time, this state of affairs causes a certain imbalance in the system of financial support for judges, which indicates the need to improve coordination of the justice system's interaction with international partners in order to regulate the procedure of donor support to restore the full operation of courts both under martial law and in the de-occupied territories.

Before the war, the judicial system had 783 court buildings, 32 buildings of territorial departments of the State Judicial Administration, 45 buildings of territorial departments of the Judicial Protection Service and nine buildings of regional branches of the National School of Judges. Prior to the war, both the judicial and law enforcement systems were functioning normally, with criminal and corruption investigations, prosecutions and hearings in Ukrainian courts. Between autumn 2019 and late winter 2020, an attempt was made to reform the Prosecutor General's Office. During the same period, the judiciary faced a series of failed attempts by the government to introduce a top-down reform of administrative institutions to increase the independence of the judiciary and eradicate corruption. At an early stage, the leadership of the judiciary, as well as some members of the Verkhovna Rada (Parliament), opposed the reform. Following the termination of the High Qualification Commission of Judges in November 2019, the judiciary faced staff shortages across Ukraine.



Up to 2,000 judicial positions remain vacant (almost three vacancies per court), which has a direct negative impact on service delivery. In 2020, a regional survey conducted by the World Bank with financial support from the European Union (EU) showed that only 29% of citizens and 30% of businesses believe that the courts in Ukraine are effective. However, these figures rose to 62 per cent for citizens and 66 per cent for businesses when the survey was focused on those groups that had been recently and directly affected by litigation (Disclaimer: The Ukraine Rapid Damage and Needs Assessment – August 2022 report was jointly prepared by the World Bank, the Government of Ukraine, and the European Commission).

Therefore, among the means of meeting the financial needs necessary and sufficient to promote the development of the justice system in Ukraine at the current stage of development of the state, the following should be highlighted: 1) increasing the amount of expenditures for the functioning of the State Judicial Administration of Ukraine sufficient to allocate funds for incentives for employees due to excessive workload (which will help to avoid staff shortages due to the mismatch of salaries with the level of workload); 2) improving the system and quality of social protection of court staff; 3) ensuring expenditures for the restoration of property damaged as a result of military aggression since February 2022 and compensation for damage to the assets of the judicial system sub-sector; 4) promotion of advisory services on the peculiarities of judicial proceedings in the international legal space; 5) overcoming

corruption in the judicial system; 6) guaranteeing judges adequate financial support without unreasonable reduction of salaries and bonuses.

## 6. Conclusions

In the current conditions of state-building, the judicial career development system faces serious obstacles to its reform and Europeanisation. This is directly related to the unsatisfactory level of economic support for justice, which, in particular, is a consequence of the aggressive war against Ukraine. Implementation of the principle of judicial immutability requires proper provision of the judiciary with judges capable of administering objective and transparent justice. In this area, the economic component of the judicial career advancement system is becoming more relevant, which requires solving the following problems: 1) timely detection and elimination of corruption risks and threats, which should be done not through the proliferation of bodies involved in the assessment of judicial candidates, but through the improvement of the qualification selection procedure; 2) improvement of the secondment procedure as a temporary transfer of a judge to another court of the same level and specialisation, which has become particularly relevant in connection with the introduction of a special legal regime of martial law and temporary occupation of certain territories of the state; 3) improvement of the procedure for attracting international donors for financial support of the justice system and regulation of the procedure for receiving and using such funds.

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